

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-02-24**

Date Published: February 19, 2009
For Work Week Commencing: February 23, 2009
Commission Meeting: February 24, 2009, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2009.2.13 (Gary)

On February 4, 2009, Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Affiliated Computer Services, Inc. (Affiliated). Qwest is filing the MSA with the Commission for approval pursuant to the Commission's April 16, 2004, Notice of Commission Action (NCA) in Docket N2003.10.149. The MSA is the result of Qwest's response to Affiliated which was seeking prices for their services and future service needs. The services purchased by Affiliated are available from other competitive carriers in addition to Qwest. **Probable Motion:** Move to approve the Multi-State Agreement between Qwest Corporation and Affiliated Computer Services in Docket No. D2009.2.13.

2. Qwest Corporation N2007.3.27 (Gary)

On February 5, 2009, Qwest Corporation (Qwest) filed for Commission approval an amendment to the existing Multi-State Agreement (MSA) between Qwest and McDonald's Corporation (McDonald's). Qwest is filing the amendment to the MSA with the Commission for approval pursuant to the Commission's April 16, 2004, Notice of Commission Action (NCA) in Docket N2003.10.149. The amendment to the existing MSA is the result of Qwest's negotiations with McDonald's to extend the existing agreement by four (4) more years through 2012. The services purchased by McDonald's are available from other competitive carriers in addition to Qwest. **Probable Motion:** Move to approve the amendment to the existing Multi-State Agreement between Qwest Corporation and McDonald's Corporation in Docket No. N2007.3.27.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. Placeholder – D2009.1.4 – United Materials of Great Falls, Inc. – Petition to Set Terms and Conditions for Existing Qualifying Small Power Production Facility Pursuant to § 69-3-6023, MCA – Consider and act on petitions to intervene filed by Montana Small Independent Renewable Generators and Renewable Northwest Project/Natural Resources Defense Council. (2/24/09)

2. D2008.12.146 – NorthWestern Energy (NWE) – Application for Approval of Avoided Cost Tariff for New Qualifying Facilities – Discuss and act on NWE’s Motion for a Protective Order. (2/24/09)
3. D2007.9.108 and D2008.9.112 – Montana-Dakota Utilities Co. (MDU) – Application for Authority to Implement a Gas Cost Tracking Adjustment – Consider MDU’s Motion for Protective Order. (2/24/09)
4. Organization of MISO States (OMS) – Cost Allocation and Regional Planning – Discuss Cost Allocation and Regional Planning Issues in the Midwest ISO. (2/24/09)
5. Out of state staff travel – Obtain approval of Brian DeKiep’s travel to the Midwest ISO Advisory Committee meeting in Carmel, IN, March 18, 2009. (2/24/09)
6. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (2/24/09)
7. **2/23/09, 2/25/09, 2/26/09, 2/27/09 – 8:30 a.m.** – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (2/23/09, 2/25/09, 2/26/09, 2/27/09) (Commission Conference Room – live web audio feed – not archived)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be

submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Verizon Business Services N2009.2.19 (Scott)

On February 17, 2009, Verizon Business Service filed Transmittal Letter No. 09-02 to remove redundant language from Intrastate U.S. Private Line Service Section.

2. Qwest Corporation N2009.2.16 (Gary)

On February 12, 2009, Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Enterprise Rent A Car (Enterprise). Qwest is filing the MSA with the Commission for approval pursuant to the Commission's April 16, 2004, Notice of Commission Action (NCA) in Docket N2003.10.149. The MSA is the result of Qwest's response to Enterprise which was seeking prices for their services and future service needs. Qwest has filed the required proprietary cost information. The services purchased by Enterprise are available from other competitive carriers in addition to Qwest.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2009.2.16 – Qwest Corporation and Enterprise Rent A Car – Individual Case Basis Agreement

N2009.2.17 – PSC Initiated – 2009 Annual Line Moving Charges – Compliance Filings

D2009.2.18 – Mountain Heritage Associates, Inc. – Application for Approval of Transfer of Mountain Heritage Water System to the Mountain Heritage Water Users Association

N2009.2.19 – MCI Communications Services, Inc. dba Verizon Business Services – Transmittal Letter No. 09-02, Remove Redundant Language from Intrastate U.S. Private Line Services Section